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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,619	05/15/2001	Petri Nykanen	4208-4008	8010

27123 7590 01/23/2006
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EXAMINER

LE, DEBBIE M

ART UNIT PAPER NUMBER

2168

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/854,619

Applicant(s)

NYKANEN, PETRI

Examiner

DEBBIE M. LE

Art Unit

2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 03 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36,38-50 and 52-54 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-36,38-50 and 52-54 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>8/23/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's arguments and remarks filed on 11/3/05.

Claims 33 and 45 have been amended.

Claims 37 and 51 were cancelled.

Claims 1-36, 38-50, 52-54 are pending.

The related pending U.S Applications 10/078,353 and 09/854,627 have been acknowledged by Examiner.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4, 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hancock et al (US Patent Application Publication No. 20040139049 A1) in view of Hwang et al (US Patent Application No. 2002/0107985 A1) and further in view of Kheiolomoom et al (US Patent Application No 2003/0004747 A1).

As per claims 1 and 32, Hancock discloses a system providing data services via wireless mobile devices comprising:

forming of a query for the wireless device user, and providing a shortcut for queries, in response to the user's entry of abbreviated inputs to the wireless device (see par. 0058, par. 0324-0035).

Hancock teaches creating a travel profile to store travel data. This then to assist the user to navigate to specific desired waypoints of a trip (see par. 0061). Hancock does not explicitly teach constructing a personal user profile of the user's searching strategies. However, Hwang teaches constructing a personal user profile of the user's searching strategies (§ 0066, 0349-0350, 0353). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to construct a personal user profile of the user's searching strategies as disclosed by Hwang because this would allow the system's of Hancock utilize personal user profile of Hwang to query or search the one or more databases of the server systems and deliver the information services to mobile phone users (in a push mode manner) based on personalized user profiles' defined because the push mode would provide benefits of delivery of large traffic volumes in real time, or reduction of communication overhead.

Hancock teaches enable a wireless device to discover Internet business by accessing Unified Geographic Database (UGD) (see par. 0339-0340). However, Hancock and Hwang do not explicitly teach enable a wireless device to discover Internet business by accessing the Universal Description, Discovery and Integration

(UDDI) registry. However, Kheiolomoom teaches enable a wireless device to discover Internet business by accessing the Universal Description, Discovery and Integration (UDDI) (§ 0043). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to enable a wireless device to discover Internet business by accessing UDDI because UDDI is the building block that will enable business quickly, easily and dynamically to find and transact with one another via their preferred applications.

As per claim 2, Kheiolomoom teaches programmed instructions executed within the user's wireless device to query the UDDI registry (§ 0084-0085).

As per claims 3-4, Hwang teaches wherein the method is embodied as programmed instructions executed within a separate knowledge engine server to query the UDDI registry in response to commands from the user's wireless device (fig. 2, # 204, proxy server), wherein the server caches files accessed from web sites, for selective forwarding to the user's wireless device (§ 0099, 0138).

Claims 5-31, 41-42, 53-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hancock et al (US Patent Application Publication No. 20040139049 A1) in view of Hwang et al (US Patent Application No. 2002/0107985 A1), in view of Kheiolomoom et al (US Patent Application No 2003/0004747 A1) and further in view of Shultz et al (US Patent Application No. 2003/0061211 A1).

As per claims 5, 15, 31 and 53, Hancock discloses a system providing data services via wireless mobile devices comprising:

entering query terms as at least part of a business name (see par. 0058);
sending a find_business XML inquiry (see par. 0397).

Hancock does not explicitly teach entering a search handle that will be associated with the user's search strategy. Hancock teaches creating a travel profile to store travel data. This then to assist the user to navigate to specific desired waypoints of a trip (see par. 0061). Hancock does not explicitly teach constructing a personal user profile of the user's searching strategies. However, Hwang teaches entering a search handle that will be associated with the user's search strategy (§ 00660349-0350, 0353). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to construct a personal user profile of the user's searching strategies as disclosed by Hwang because this would allow the system's of Hancock utilize personal user profile of Hwang to query or search the one or more databases of the server systems and deliver the information services to mobile phone users (in a push mode manner) based on personalized user profiles' defined because the push mode would provide benefits of delivery of large traffic volumes in real time, or reduction of communication overhead.

Hancock teaches enable a wireless device to discover Internet business by accessing Unified Geographic Database (UGD) (see par. 0339-0340). However, Hancock and Hwang do not explicitly teach enable a wireless device to discover Internet business by accessing the Universal Description, Discovery and Integration (UDDI) registry. However, Kheirloom teaches enable a wireless device to discover Internet business by accessing the Universal Description, Discovery and Integration

(UDDI) (§ 0043). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to enable a wireless device to discover Internet business by accessing UDDI because UDDI is the building block that will enable business quickly, easily and dynamically to find and transact with one another via their preferred applications.

Hancock, Hwang, and Kheirloom does not teach receiving back a *businessList* message that contains a list of business names satisfying the *find_business* query. However, Shultz teaches entering a search handle that will be associated with the user's search strategy (§ 0044, 0049) and receiving back a *businessList* message that contains a list of business names satisfying the *find_business* query (§ 0052). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to implement the search handle which handle the user's search strategy because the search handle would narrow the search results according to the user's profile, therefore, it speeds up the search process and provides efficient search results to the user.

As per claims 6 and 16, Shultz teaches selecting an item from the returned *businessList* message; drilling down in the selected business' entity, data (§ 0079); sending a *find_service* XML inquiry, to the UDDI registry; receiving back from the UDDI registry, a *serviceList* message that contains a list of names of services offered by the selected business (§ 0060-0061).

As per claims 7, 17 and 41, Shultz teaches selecting an item from the returned *serviceList* message; drilling down in the selected service data; sending a *get_serviceDetail_XML* inquiry to the UDDI registry; receiving back from the UDDI registry, a *serviceDetail* message that includes *bindingTemplate* data that contains the details of the selected service (§ 0056).

As per claims 8, 18 and 42, Shultz teaches including in the *bindingTemplate* data an *accessPoint URL*, which is the URL of the selected service on the web site of the selected business (§ 0084).

As per claims 9 and 19, Shultz teaches displaying the *accessPoint URL* to the user (§ 0092).

As per claims 10 and 20, Hancock teaches storing the search handle in a user profile with the selected *accessPoint URL*; providing the user with a shortcut for accessing pages from web sites, in response to the user's entry of abbreviated search handle to the wireless device (see par. 0337, 0058).

As per claims 11, 21 and 54, Hancock teaches storing the search handle in a user profile with a UDDI registry search strategy; providing the user with a shortcut for online or offline queries to the UDDI registry, in response to the user's entry of abbreviated search handle to the wireless device (see par. 0058, 0313).

As per claims 12, 14 and 22, Shultz teaches the search strategy including the business name query, the selected *businessEntity* data, the selected *businessService* data, the selected *bindingTemplate* data, and the selected *accessPoint URL* (§ 0011, 0048).

As per claims 13 and 23, Hancock teaches replaying a UDDI registry search strategy by entering a search handle into the wireless device automatically accessing the UDDI registry search strategy from user profile corresponding to the search handle; loading query values from said UDDI registry search strategy as each respective operand that would have been otherwise entered by the user (see par. 0345).

As per claim 24, Shultz teaches said query values including the business name query, the selected *businessEntity* data, the selected *businessService* data, and the selected *bindingTemplate* data (§ 0048).

Claim 25 is rejected by the same rationale as state in independent claim 5. Furthermore, Hancock teaches applying a filter prescribed by the user and stored in the user's profile, to limit the returned documents to only those of particular interest to the user (see par. 0345).

As per claim 26, Shultz teaches sorting the documents in a list having an order established in accordance with user's profile (§ 0060).

As per claim 27, Hwang teaches storing the filtered documents and the sorted list in a cache for later, selective accessing by the user (§ 0051).

As per claim 28, Hwang teaches receiving the user's selections from the list and updating the user's profile with the user's preferences (§ 0107).

As per claim 29, Shultz teaches associating the search handle with user's selections and with the user's search strategy; storing that association in user's profile (§ 0044, 0048).

As per claim 30, Hancock teaches providing the user with a shortcut for accessing pages from web sites, in response to the user's entry of abbreviated search handle to the wireless device (see abstract, par. 0058, 0339).

Claims 33-34, 36, 38-40, 43-49, 52 rejected under 35 U.S.C. 103(a) as being unpatentable over Hancock et al (US Patent Application Publication No. 20040139049 A1) in view of Hwang et al (US Patent Application No. 2002/0107985 A1).

As per claims 33 and 45, Hancock discloses a system providing data services via wireless mobile devices comprising:

a wireless device (mobile phone) configured to communicate over a computer network (server), a memory device (UGD), communicatively coupled to the wireless device, wherein said memory device stores at least one executable profile; and a processor communicatively coupled to the memory device, wherein said processor and memory function to access a network element in accordance with the at least one executable profile (see par. 0339-0340) or at least one abbreviated input (see par. 0058), wherein said network element that comprises a search strategy (0349-0350, 0353).

Hancock teaches creating a travel profile to store travel data. This then to assist the user to navigate to specific desired waypoints of a trip (see par. 0061). Hancock does not explicitly teach user profiles. However, Hwang teaches user profile (¶ 00660349-0350, 0353). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references

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to construct a personal user profile of the user's searching strategies as disclosed by Hwang because this would allow the system's of Hancock utilize personal user profile of Hwang to query or search the one or more databases of the server systems and deliver the information services to mobile phone users (in a push mode manner) based on personalized user profiles' defined because the push mode would provide benefits of delivery of large traffic volumes in real time, or reduction of communication overhead.

As per claim 34, Hancock teaches at least one executable user profile consists of an abbreviate user input to the wireless device (§ 0099).

As per claim 36, Hwang teaches network element is a server including a knowledge engine (fig. 2, # 204).

As per claim 38, Hancock teaches wherein said search strategy is stored by using a search handle for a business name query (see par. 0324).

As per claim 39, Hancock teaches wherein said search handle for the business name query comprises a business entry data (see par. 0343).

As per claim 40, wherein said search handle for the business name query comprises a business service data (see par. 0344).

As per claim 43, Hancock teaches the wireless device stores a search handle in a user profile with the search strategy of the network element (see par. 0040).

As per claim 44, Hancock teaches wherein the wireless device stores a search handle in a user profile with the search strategy of the network element (see par. 0040).

As per claim 46, Hwang teaches wherein the access files are readable or executable computer code stored on a web site (§ 0056).

As per claim 47, Hwang teaches wherein the accessed files are cached for selective forwarding to the wireless device (fig. 2, # 214).

As per claim 48, Hwang teaches wherein said network element is accessed using a direct session (§ 0059, Network, # 208).

As per claim 49, Hwang teaches wherein said network element is accessed using an indirect session through a knowledge server (fig. 2, # 204, Internet).

As per claim 52, Hancock teaches wherein said wireless device stores a search handle in a user profile with the search strategy of the network element (see par. 0340).

Claims 35 and 50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hancock et al (US Patent Application Publication No. 20040139049 A1) in view of Hwang et al (US Patent Application No. 2002/0107985 A1) and further in view of Kheiolomoom et al (US Patent Application No 2003/0004747 A1).

As per claim 35, Hancock teaches enable a wireless device to discover Internet business by accessing Unified Geographic Database (UGD) (see par. 0339-0340). However, Hwang and Hancock do not explicitly teach enable a wireless device to discover Internet business by accessing the Universal Description, Discovery and Integration (UDDI) registry. However, Kheiolomoom teaches enable a wireless device to discover Internet business by accessing the Universal Description, Discovery and Integration (UDDI) (§ 0043). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to enable a wireless device to discover Internet business by accessing UDDI

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because UDDI is the building block that will enable business quickly, easily and dynamically to find and transact with one another via their preferred applications.

As per claim 50, Hancock teaches enable a wireless device to discover Internet business by accessing Unified Geographic Database (UGD) (see par. 0339-0340). However, Hwang and Hancock do not explicitly teach enable a wireless device to discover Internet business by accessing the Universal Description, Discovery and Integration (UDDI) registry. However, Kheirloomoom teaches enable a wireless device to discover Internet business by accessing the Universal Description, Discovery and Integration (UDDI) (§ 0043). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of the cited references to enable a wireless device to discover Internet business by accessing UDDI because UDDI is the building block that will enable business quickly, easily and dynamically to find and transact with one another via their preferred applications.

Response to Arguments

Applicant's arguments filed 11/3/05 have been fully considered but they are not persuasive.

Applicant argues that neither Hwang (US Patent Application Publication No. 2002/0107985) nor its corresponding Provisional Application No 60/228,182 does not involve searching feature because Hwang discloses content is automatically delivered to a mobile device by the "push mode" and "pull mode" mode in a manner (see Applicant's arguments, page 16).

In response, Examiner respectfully admits that Hwang does not explicitly disclose searching or querying feature. As the result, the finality of the office action rejection (mailed date 10/12/04) has been withdrawn with respect to Applicant's arguments filed on 4/12/05 (Arguments after Final rejection) and issued a second non-office action rejection (mailed date 5/3/05).

Thus, Examiner has cited Hancock et al (US Patent Application Publication No. 2004/0139049 A1) for teaching the instant application claimed elements "abbreviated inputs" and "querying or searching" feature, as above detailed office action rejection and the previous non-office action rejection (mailed date 5/3/05). However, Examiner acknowledges that Hancock does not explicitly disclose the instant application claimed element "constructing a personal user profile", therefore, Examiner relies upon Hwang for teaching the missing limitation "a personal user profile" and also provides motivation to combine the references.

Accordingly, the arguments by Applicant filed on 11/3/05 are not persuasive, therefore the outstanding office action rejection is maintained.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DEBBIE M. LE whose telephone number is (571) 272-4111. The examiner can normally be reached on 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JEFFREY GAFFIN can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Debbie Le.

1/19/06

DEBBIE M LE
Examiner
Art Unit 2168

Primary Examiner.